

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No. 059440/0138

#9/ETEC
11/6/02

Applicant: Brian S. HOOKER *et al.*

Title: ***CONTROLLED ENVIRONMENT AGRICULTURE BIOREACTOR FOR
HETEROLOGOUS PROTEIN PRODUCTION***

Appl. No.: 09/910,958

Filing Date: July 24, 2001

Examiner: Phuong T. BUI

Art Unit: 1638

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the office action dated October 01, 2002, applicants request that the following remarks be made of record in the above-captioned patent application.

REMARKS

The examiner restricted the claims into the following two groups:

Group I, claims 1-15 are drawn to a plant system.

Group II, claims 16-44 are drawn to a method of producing heterologous protein in a transgenic plant.

The examiner further restricted each group I and II into 5 separate groups (A)-(E),

(A) A CO₂ inducible promoter

(B) A heat inducible promoter

(C) A chemically inducible promoter

(D) A dark inducible promoter

(E) A constitutive promoter

In a teleconference with the examiner, the examiner indicated that "(F) a light inducible promoter" should also be included in the above list.

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